REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1-42 are pending in this application, with Claims 1, 8, 18, 25, 35, and 37 being independent. Claims 1, 2, 4, 7-12, 14-19, 21, 23-27, 29- 32, 34, 35, 37, and 39-42 have been amended to improve their form. In addition, Claims 1, 8, 18, 25, 35, and 37 have been amended to overcome a substantive rejection. Applicant submits that support for the amendments can be found in the original disclosure, and therefore no new matter has been added.

Claims 10 and 11 stand rejected under 35 U.S.C. § 112, second paragraph. The Examiner suggests specific language to overcome the rejection. In response, while not conceding the propriety of the rejection, Claims 10 and 11 have been amended as suggested by the Examiner. Applicant submits that as amended, these claims now even more clearly satisfy 35 U.S.C. § 112, second paragraph.

Claims 1-4, 6-12, 17-21, 23-29, and 34-42 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,799,081 (Kim, et al.). In addition, Claims 5, 13-16, 22, and 30-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the patent to Kim, et al. in view of the article "MPEG-4: A Bird's Eye View", (Dawson).

In response, while not conceding the propriety of the rejections, independent Claims 1, 8, 18, 25, 35, and 37 have been amended. Applicant submits that as amended, these claims are allowable over the patent to Kim, et al. for the following reasons.

Independent Claim 1 relates to an information processing apparatus.

Claim 1 has been amended to recite first input means for inputting encoded data of information data and second input means for inputting security data for protecting the information data. Claim 1 has also been amended to recite extraction means for extracting a start code of a frame group comprising at least one frame, from the encoded data included in a data section to which security is set and which is to be protected in accordance with the security data. Claim 1 has been further amended to recite superimposing means for superimposing the security data on the start code. In addition, Claim 1 has been amended to recite output means for outputting the encoded data processed by scrambling means for scrambling the encoded data other than the start code in the data section to which the security is set.

By this arrangement, encoded video data containing security settings protecting portions of the encoded video data can be easily edited while retaining the security settings, since the security settings can be managed on a frame group basis.

In contrast, the patent to Kim, et al. is not understood to disclose or suggest extraction means for extracting a start code of a frame group comprising at least one frame, from encoded data included in a data section to which security is set and which is to be protected in accordance with the security data, as recited by amended Claim 1. Therefore, this patent is also not understood to disclose or suggest superimposing means for superimposing security data on the extracted start code, or output means for outputting the encoded data processed by scrambling means for scrambling the encoded data other than the start code in the data section to which the security is set, as also recited by amended Claim 1. Rather, this patent is merely understood to disclose the multiplexing and transmitting of a

scrambled audio/video bit stream and encrypted CPTC information, as discussed at column 7, line 30 through column 8, line 39.

Since amended Claim 1 is understood to include at least one feature not disclosed or suggested by the patent to Kim, et al., Applicant submits that the Patent Office has not yet satisfied its burden of proof to establish anticipation of amended Claim 1 over the patent to Kim, et al.

Independent Claims 8, 18, 25, 35, and 37 are allowable for similar reasons, since these claims also recite start-code extraction or the extraction of a code at a position where the start code is present, which extraction is not understood to be disclosed or suggested by the Kim, et al. patent.

Thus, Claim 8 has been amended to recite, in part, code extraction means for extracting from image encoded data a code which is located at a position where the start code is present, detection means for detecting the security data from the extracted code, descrambling means for descrambling the image encoded data other than the start code that is adaptively scrambled, in accordance with a detection result of the detection means, and decoding means for decoding the image encoded data descrambled by the descrambling means.

Independent Claim 18 has been amended to recite, in part, the steps of extracting a start code of a frame group comprising at least one frame from encoded data included in a data section to which security is to be set and which is to be protected in accordance with the security data, superimposing the security data on the start code, and outputting the encoded data processed in a step of scrambling the encoded data other than the start code in the data section to which the security is set.

Amended Claim 25 recites, in part, the steps of extracting from image encoded data a code which is located at a position where the start code is present, detecting the security data from the extracted code, descrambling the image encoded data other than the start code in accordance with the detection result of the detecting step, and decoding the descrambled image encoded data.

Independent Claim 35 has been amended to recite, in part, the steps of extracting a start code indicating a head of a predetermined layer from image encoded data, and superimposing security data for image protection onto the start code extracted in the extracting step.

Independent Claim 37 has been amended to recite the steps of inputting encoded data in which security data is superimposed on a start code indicating a head of a predetermined layer of image encoded data that forms a hierarchical structure, extracting from the encoded data a code which is located at a position where the start code is present, detecting the security data from the extracted code, and decoding the encoded data in accordance with a detection result in the detecting step.

Since the Kim, et al. patent is not understood to disclose or suggest the start code extraction or the extraction of a code located at a position where the start code is present, and steps or means related to such extraction, as recited by amended Claims 8, 18, 25, 35, and 37, the Patent Office has not yet satisfied its burden of proof to establish anticipation of these claims over the Kim, et al. patent.

The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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